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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/651,986

08/30/2000

James S. Boyce

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04/22/2004

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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 04/22/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/651,986

Applicant(s)

BOYCE, JAMES S.

Examiner

Saeid Ebrahimi-dehKordy

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima et al (U.S. patent 5,966,555) in view of Salgado (U.S. patent 6,504,621)

Regarding claim 1,8 and 15 Nakajima et al disclose: A method for holding a print job requiring unavailable resources, the method comprising:

(a) evaluating the resource requirements of the print job (please note Fig.41 item 802b column 25 lines 30-33 where the number of the sheets needed for the job are determined), (b) comparing the resource requirements to known available resources (please note Fig.41 item 804b column 25 lines 10-14 where the number of sheets compared for the number of sheet needed and the number of sheets remaining).

However Nakajima et al do not disclose: (c) responsive to a resource deficiency exposed by the comparison communicating the print job to a printer with a command to hold the print job, On the other hand Salgado discloses: (c) responsive to a resource deficiency exposed by the comparison communicating the print job to a printer with a command to hold the print job (please note column 29 lines 25-67 and column 30 lines 25-50 where the job is being held for resource deficiencies).

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Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Nakajima et al's invention according to the teaching of Salgado, where Salgado in the same field of endeavor teaches the way it would be desirable to provide a queue management system in which a resource deficient job is held in a queue on the time basis in purpose of having other jobs printed while providing resources to the held job.

Regarding claim 2, 9 and 16 Nakajima et al disclose: The method of claim 1 further including responsive to the resource deficiency exposed by the comparison; and (a) creating instructions for remedying the resource deficiency (please note column 25 lines 30-34), (b) providing the instructions to a remedy provider (please note column 10 lines 19-22).

Regarding claim 3,10 and 17 Nakajima et al disclose: The method of claim 2 wherein providing the instructions to the remedy provider includes printing the instructions (please note column 2 lines 47-49).

Regarding claim 4,11 and 18 Nakajima et al disclose: The method of claim 2 wherein providing the instructions to the remedy provider includes displaying the instructions on the printer (please note column 8 lines 25-30).

Regarding claim 5,12 and 19 Salgado discloses: The method of claim 2 further including: (a) the remedy provider remedying the resource deficiency (please note column 32 lines 10-11), (b) the printer processing the print job (please note column 32 lines 12-17).

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Regarding claim 6,13 and 20 Nakajima et al disclose: The method of claim 1 wherein comparing the resource requirements to known available resources includes: (a) discovering available resources for the printer (please note column 25 lines 6-25) and, (b) comparing the resource requirements to the discovered available resources (please note column 25 lines 31-35).

Regarding claim 7 and 14 Salgado disclose: The method of claim 1 further including: (a) communicating to the printer the resource deficiency (please note column 29 lines 55-67 and column 30 lines 1-3), (b) monitoring the resource deficiency for a remedy (please note column 30 lines 57-59) and, (b) responsive to the remedy of the resource deficiency processing the print job (please note column 30 lines 60-65).

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

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(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark

"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label **"PROPOSED"** or **"DRAFT"**)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

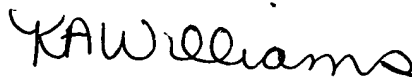
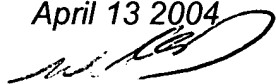
Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy

Patent Examiner

Group Art Unit 2626

April 13 2004



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER